

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

SYBOLOGY INNOVATIONS, LLC	§	
	§	
v.	§	CIVIL ACTION NO. 4:20-CV-230
	§	
BLACKBAUD, INC.	§	

**ORDER GRANTING JOINT STIPULATION TO DISMISS**

Before the Court is the parties’ joint stipulation to dismiss, requesting that the Court dismiss all claims and counterclaims pursuant to Federal Rule of Civil Procedure 41(a)(2). (Dkt. #15). “The primary purpose of Rule 41(a)(2) is to ‘prevent voluntary dismissals which unfairly affect the other side, and to permit the imposition of curative conditions.’” *Elbaor v. Tripath Imaging, Inc.*, 279 F.3d 314, 317 (5th Cir. 2002) (citing 9 C. WRIGHT & A. MILLER, FEDERAL PRACTICE AND PROCEDURE § 2364, at 165 (1971)). For that reason, “as a general rule, motions for voluntary dismissal should be freely granted unless the non-moving party will suffer some plain legal prejudice other than the mere prospect of a second lawsuit.” *Id.* Having reviewed the record and the applicable law, the Court finds that neither party has objected to the motion and that no prejudice would arise from granting the motion.


It is therefore **ORDERED** that the parties’ joint stipulation of dismissal is hereby **GRANTED**. It is further **ORDERED** that all of Plaintiff Symbology Innovations, LLC’s claims are **DISMISSED WITH PREJUDICE**. It is further **ORDERED** that all of Defendant Blackbaud, Inc.’s counterclaims are **DISMISSED**

**WITHOUT PREJUDICE.** All relief not previously granted is **DENIED as moot.**

Each party bears its own attorneys' fees and costs.

The Clerk is directed to **CLOSE** this civil action.

**So ORDERED and SIGNED this 18th day of May, 2020.**

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE